

1 JUDGE STEINBERG: My question was when you  
2 answered the Request for Admission No. 39, the question  
3 still is did you remember what I showed you as Exhibit 5?

4 THE WITNESS: No. I don't remember it other  
5 than -- I just think there's so much that's, you know, gone  
6 on to say do you remember this. No, I can't.

7 JUDGE STEINBERG: Okay. Generally does your  
8 husband or did your husband sometimes put in front of you a  
9 lot of documents and say sign, sign, sign, sign?

10 THE WITNESS: Yes, sir.

11 JUDGE STEINBERG: And you sign?

12 THE WITNESS: Yes, sir. I mean, we've been  
13 married 47 years. Hey, it's just like I would tell him sign  
14 this for me. I need it signed. He'll sign it.

15 JUDGE STEINBERG: Okay.

16 THE WITNESS: He does the same thing.

17 JUDGE STEINBERG: And you don't --

18 THE WITNESS: I don't. No, I wouldn't have taken  
19 this and read it word for word.

20 JUDGE STEINBERG: If he said sign here, you would  
21 have signed it?

22 THE WITNESS: Yes, sir. I mean, we've never --  
23 I've never hid anything from him, and he's never hid  
24 anything from me. If he says you sign this, Pat, I sign it.

25 JUDGE STEINBERG: Okay. Do you remember if

1 something like that happened with Exhibit 5? If you don't  
2 remember, tell me you don't remember.

3 THE WITNESS: I don't remember this, you know,  
4 specific document and what happened. I can't tell you that.

5 JUDGE STEINBERG: Okay. So you don't know if it  
6 happened, and you don't know if it didn't happen?

7 THE WITNESS: No. It could have very easily, but  
8 I can't testify.

9 JUDGE STEINBERG: Okay.

10 THE WITNESS: I really can't.

11 JUDGE STEINBERG: Okay. Now, as I said before --

12 MR. KNOWLES-KELLETT: Can I ask a couple of  
13 questions to follow up?

14 JUDGE STEINBERG: Yes.

15 THE WITNESS: I don't need a break, Your Honor.  
16 I'm fine.

17 JUDGE STEINBERG: Are you sure?

18 THE WITNESS: Yes.

19 JUDGE STEINBERG: You don't want to stretch around  
20 a little bit?

21 THE WITNESS: No.

22 JUDGE STEINBERG: Okay. Then we won't take it.

23 THE WITNESS: No. I'm fine.

24 JUDGE STEINBERG: If you change your mind, kick me  
25 or something.

1 THE WITNESS: Okay.

2 BY MR. KNOWLES-KELLETT:

3 Q Can you turn your attention to Exhibit 19, page  
4 472?

5 JUDGE STEINBERG: That's the big book.

6 THE WITNESS: That's the big book. 472? That's  
7 the number?

8 MR. KNOWLES-KELLETT: Right.

9 THE WITNESS: Okay.

10 MR. KNOWLES-KELLETT: I'll tell you what you're  
11 looking at is a management agreement, and my understanding  
12 is it's between you and DLB to have DLB manage your station.

13 THE WITNESS: 427?

14 JUDGE STEINBERG: 72.

15 THE WITNESS: That wouldn't have balanced, would  
16 it?

17 JUDGE STEINBERG: Jim would have straightened it  
18 out.

19 THE WITNESS: Oh, yes. No. He would have called  
20 and told me it wasn't balanced. It didn't balance. All  
21 right. Okay.

22 JUDGE STEINBERG: Okay, Mr. Kellett.

23 Are you reading it now?

24 THE WITNESS: Well, I was just looking at it.

25 JUDGE STEINBERG: Okay.

1 THE WITNESS: It looks to me like it's just a  
2 management agreement is what it looks to me like.

3 BY MR. KNOWLES-KELLETT:

4 Q Do you see who it's between?

5 JUDGE STEINBERG: Let's just give Ms. Brasher an  
6 opportunity to look at it.

7 THE WITNESS: Yes. It's really just this one  
8 page. Is that correct?

9 JUDGE STEINBERG: No, ma'am.

10 THE WITNESS: All these other pages go with it?

11 JUDGE STEINBERG: It goes to about 482 or  
12 something, and then there are some exhibits.

13 THE WITNESS: Okay.

14 JUDGE STEINBERG: If you look at page 11, you'll  
15 see.

16 THE WITNESS: Okay. Yes, sir. I think I see it.  
17 Okay. What are you asking me?

18 BY MR. KNOWLES-KELLETT:

19 Q Can you tell us what it is?

20 A It's a management agreement.

21 Q Between who?

22 A Between me and DLB.

23 Q Okay. And what is the purpose of this agreement?

24 A To my best understanding, it is for the operations  
25 of the repeaters.

1 Q Okay.

2 A That is my interpretation of it.

3 Q Do you recall a time in 1999 when you entered into  
4 a bunch of these management agreements?

5 MR. ROMNEY: I can't hear that question.

6 MR. KNOWLES-KELLETT: I'm sorry.

7 BY MR. KNOWLES-KELLETT:

8 Q Do you recall a time in 1999 when you entered into  
9 a number of these management agreements on behalf of DLB?

10 A No, sir, I can't.

11 Q Okay.

12 A I mean, it wasn't a highlight of my day. That's  
13 too far back.

14 Q Okay. With respect to the Allen stations that you  
15 obtained as a result of the document at page 229 -- do you  
16 remember the one Sue typed, 229 of Exhibit 19?

17 A Yes, I remember that document.

18 Q Okay. With respect to those, were they  
19 constructed? You're welcome to refer to the document.

20 A Okay. If we received the license, which I feel  
21 that we did, yes, we would have constructed them. As far as  
22 me personally overseeing the construction of the stations, I  
23 did not. That was something that once we knew they were  
24 granted we would have ordered the equipment.

25 It would have come in, and the service end would

1 have, you know, put them up as soon as our time in the  
2 service shop, you know, made itself available to us to do it  
3 and it was convenient at the site.

4 Q Do you know which stations are still in operation?  
5 You're welcome to refer to the list.

6 A As far as just looking at them, no, sir, I don't.

7 MR. ROMNEY: Do you have the list in front of you,  
8 ma'am? I'm sorry.

9 THE WITNESS: No, I don't.

10 MR. ROMNEY: I'm sorry, Your Honor. I meant to  
11 address that to the Court.

12 BY MR. KNOWLES-KELLETT:

13 Q If you could look back at page 229?

14 A 229? Okay. I don't -- okay. Are you talking  
15 about these on 229?

16 Q Yes.

17 A No, sir. I could not tell you because I don't  
18 think about them as in these names.

19 Q Okay.

20 A They're licenses. We have bought repeaters  
21 because we've got this number of licenses, and they would  
22 have gone up. If we had the license and the repeaters had  
23 come in, as soon as the technical type department would have  
24 gone through and made sure that they were up, you know, and  
25 operating fine, then they would schedule to put them up.

1           That wouldn't have been something that I would  
2   have said we're going to do this. I mean, it was something  
3   that they were there, and as soon as they could do it they  
4   did it, but I never said oh, we're going to go and put up  
5   Melissa Sumpter's today, or oh, we're going to go -- that  
6   never would have happened that way. It was just they were  
7   there, and we put them up.

8           JUDGE STEINBERG: I think the question was do you  
9   know? Looking at page 229, do you know which ones are  
10  operating now and which ones aren't?

11          THE WITNESS: No, because, like I said, I never  
12  thought about them.

13          JUDGE STEINBERG: Okay.

14          THE WITNESS: I never thought about them like this  
15  is Norma's or this is Jennifer's.

16          BY MR. KNOWLES-KELLETT:

17          Q    Okay. Generally did the staff at DLB treat them  
18  just like other DLB licenses?

19          A    Yes. They weren't treated any differently. It  
20  was a repeater to go on the air.

21          Q    Who at DLB would have known that they weren't in  
22  fact in DLB's name?

23          A    No one other than probably -- other than the  
24  technical type people that posted the license would have  
25  known because they would have seen the license, a copy of

1 the license.

2 Q Okay.

3 A As far as them thinking in terms of they weren't  
4 DLB's, I don't think any of them ever thought they weren't.

5 Q Okay. Carolyn would have known that hers was not  
6 DLB's, right?

7 A Yes, sir.

8 Q Okay.

9 A She would have known hers.

10 Q And David would have known his particular  
11 licenses, right?

12 A Well, he would have known it, I mean, because he  
13 would have known the call signs.

14 Q Okay.

15 A That wasn't something that I just sat around and  
16 thought about was my call signs.

17 Q Okay. I'm not trying to trip you up.

18 A Yes, I know, but it was hey, it was a repeater.

19 Q Right.

20 A Let's put it up.

21 Q Okay. With respect to billing customers on these  
22 stations, were they treated any differently?

23 A No, sir.

24 Q Okay.

25 A We set them up in terms of just like we had set up



1 all of the -- when we first, you know, started our T-band  
2 repeater we discussed with Mr. Sumpter do we need to set  
3 this up any differently than we had done in the past, and  
4 that would have been the 900 system and the 800 system that  
5 we had had before.

6 Q Okay.

7 A He said no, there's no reason to. There's no  
8 advantage or disadvantage.

9 Q Okay.

10 A I said fine. Whatever you tell me, that's what I  
11 will do in regards to these repeaters. Mr. Sumpter was  
12 given everything that we billed, and they were -- he knew  
13 what was T-band --

14 Q Okay.

15 A -- and what was 900 because it was labeled,  
16 clearly labeled --

17 Q Okay.

18 A -- on the information that we provided him every  
19 month --

20 Q Okay.

21 A -- in billing. We never separated it in any way  
22 other than this is T-band, I mean, as far as income coming  
23 in.

24 Q Right.

25 A It was a customer mailed us a check for whatever

1 his --

2 Q Bill was.

3 A Whether it was the repeater bill or whether it was  
4 service, we had to figure out where it was applied to  
5 ourselves.

6 Q So would the Sumpters have been given any access  
7 to the facilities at the Allen site?

8 A Well, they were there if they would have wanted to  
9 gone to them. You know, I don't think they ever would have  
10 wanted to. That wasn't something they were interested in.

11 Q When you said they were there, you took them there  
12 one time?

13 A No. They knew where they were located. You know,  
14 if you want to go, I guess you could go.

15 Q Okay.

16 A I mean, I've never been.

17 Q Okay.

18 A I've never been.

19 Q Okay.

20 A You know, I've been to the NCNB Building, but that  
21 was because I went down there to sign a lease agreement, and  
22 I just went and looked for my own just to see what it looked  
23 like.

24 Q Okay.

25 A They wouldn't have known what they were looking

1 at. It's a piece of equipment to them. It's like me going  
2 and looking at an air conditioning unit.

3 Q Did the Sumpters have any involvement with the  
4 customers on the system?

5 A What do you mean, did they --

6 Q Would they have ever talked to the customers and  
7 known what particular customers --

8 A No. They would not have had any need to do that.

9 Q And all the revenue came into the DLB account, and  
10 all the expenses other than the site rent came out of the  
11 DLB account? Is that correct? I take that back. Other  
12 than the purchase of the repeaters and the site rent, it  
13 came out of the FCC account? Oh, and the FCC filing fee.

14 Let me go through all of those, okay? Strike that  
15 question.

16 A Okay.

17 Q Who paid the employees who worked on these  
18 stations?

19 A DLB.

20 Q Okay. Who did the invoicing?

21 A When we worked on a repeater?

22 Q No. I mean the invoicing of customers. I'm  
23 sorry.

24 A Invoicing the customers? Sue did the invoicing of  
25 the customers.

1 Q She did it as a DLB employee?

2 A Yes, sir.

3 Q Okay. And who financed the purchase of the  
4 repeaters?

5 A Brasher bought the repeaters.

6 Q Okay. Who paid the site rent?

7 A Brasher paid the site rent.

8 Q Okay. And who sold service on the repeaters?

9 A Metroplex. DLB.

10 Q Is that the people under the sales/service  
11 manager?

12 A Yes.

13 Q As well as the sales/service manager with the  
14 assistance of the officers when necessary?

15 A That is correct.

16 Q Okay.

17 A Anyone. If someone came in and there was no one  
18 there, we would certainly try to sell them. I mean, that  
19 was --

20 Q I believe Ronald Brasher testified that if a  
21 customer insisted he would stop by a customer on the way  
22 home --

23 A Yes, he would.

24 Q -- if they wanted to see a higher up. You were in  
25 the service business. They got to see a higher up at the

1 customer's insistence?

2 A Yes. We never -- nothing was too big or too small  
3 for any of us to do.

4 Q Okay. Now, when did Carolyn Lutz leave your  
5 employment? Do you recall?

6 MR. ROMNEY: Objection, Your Honor. Which time?

7 JUDGE STEINBERG: That is what the question was.

8 MR. KNOWLES-KELLETT: No.

9 JUDGE STEINBERG: Which time?

10 MR. KNOWLES-KELLETT: She left twice. I mean the  
11 most recent time.

12 THE WITNESS: Oh. I'll have to say September, to  
13 the best of my ability to remember.

14 BY MR. KNOWLES-KELLETT:

15 Q Of 1999?

16 A Yes, sir. No. 2000.

17 Q 2000? Okay.

18 Since Carolyn left, you testified about various  
19 things she did like she would have had access to the site,  
20 and she billed customers. Has any of that occurred since  
21 she left your employment?

22 A Do you mean --

23 Q Does she still have access to the sites?

24 A Most anyone has access to a site.

25 Q Okay. How do you mean?

1           A     Because it's not my site. It's lots of people's  
2 sites, so if she wanted to go, yes, I guess she could have  
3 gone.

4           Q     Is the site locked?

5           A     I actually do not know.

6           Q     Okay. Were you aware that in 1996 at the time of  
7 the Allen expansion that O.C. was dead?

8           A     Yes.

9           Q     Okay. Were you aware that you were filing an  
10 application in the name of a dead man?

11          A     It didn't occur to me because I thought they was a  
12 part of his estate. We had filed it previously. There had  
13 been a problem, and it had come back. They sent it back  
14 sometime --

15          Q     Okay.

16          A     -- prior to his death, to the best of my ability  
17 to remember.

18          Q     So you didn't think it was a problem?

19          A     No, because I thought it was like a refile because  
20 something was lost or something wasn't -- I can't remember  
21 the specifics on it. I just remember there was a problem.  
22 No, I did not think anything about it.

23          Q     Okay. With respect to Ruth's application, you  
24 were aware that she was dead at that time?

25          A     Yes.

1 Q Okay. Were you concerned about filing in the name  
2 of Ruth?

3 A I didn't think anything about it because it had  
4 been filed for her brother putting in some business for him,  
5 and it really didn't -- I didn't really -- Ron dealt with  
6 most of it, and it never even -- her business I felt like  
7 was our business, whatever we did.

8 Q She had been dead for five years, and you felt  
9 like her business was your business?

10 A Yes, sir. Her business is still our business.

11 Q What does that mean?

12 A What does that mean? Well, I still get mail at my  
13 home for her.

14 Q Currently do you think there is a problem with  
15 having applied for licenses in the name of dead people?

16 A I think the only one we've ever done was hers or  
17 my husband ever did was hers. I wouldn't, no. I wouldn't  
18 file in the name if it was a dead person, no.

19 Q Do you still think it is okay that you filed in  
20 the name of O.C. for O.C.'s application?

21 A Yes, because, like I said, it had been filed prior  
22 to his death in 1995, and then it came back. My husband I  
23 think just did it because it was part of his estate.

24 MR. KNOWLES-KELLETT: Ready to pass the witness,  
25 Your Honor.

1 JUDGE STEINBERG: Pardon me?

2 MR. KNOWLES-KELLETT: I am ready to pass the.

3 witness

4 JUDGE STEINBERG: Do you need a break?

5 THE WITNESS: No. I am fine, Your Honor. Well,

6 let me go to the --

7 JUDGE STEINBERG: Yes. How much time? Do you

8 want ten minutes?

9 THE WITNESS: Yes, just to go to the little girls'  
10 room. That's all I need.

11 JUDGE STEINBERG: Okay. We'll take ten minutes.

12 (Whereupon, a short recess was taken.)

13 MR. ROMNEY: May it please the Court.

14 CROSS-EXAMINATION

15 BY MR. ROMNEY:

16 Q Ms. Brasher, I just have a few questions for you.  
17 I do not intend to go through everything that you testified  
18 about today. I think you did a very good job.

19 I do have a couple issues. Did you ever have any  
20 conversations with Mrs. Sumpter, Norma Sumpter, about  
21 whether or not she ever signed her husband's name to  
22 anything?

23 A Yes, sir.

24 Q Tell the Court the nature of those conversations,  
25 please.



1           A     Norma said that she could sign Jim's name better  
2     than he could, and she did it not regularly, but she signed  
3     more documents for him than he did.

4           Q     About when did this conversation take place? Do  
5     you remember?

6           A     It just, you know, in going into her office and  
7     saying well, this is something that Jim needs to get signed.  
8     She says I'll sign it. I can sign Jim's name better than he  
9     can.

10          Q     Did this happen on more than one occasion?

11          A     (Non-verbal response.)

12          Q     Is that a yes?

13          A     Yes, sir.

14          Q     I want to direct your attention to Ms. Lutz.  
15     First off, if you would take a look, please, at Exhibit 19,  
16     page 299? Is that the one you have in front of you, ma'am?

17          A     Yes, sir.

18          Q     I want to ask you a question about some of those  
19     stations that are on there just in particular. Do you know  
20     whether or not Ruth Bearden's station ever got constructed?

21          A     I don't believe it ever did, to my best knowledge,  
22     you know. Discussions came up, and as far as I'm concerned  
23     I don't think it ever did. I felt that my husband canceled  
24     it.

25          Q     Okay. To the best of your knowledge, as you sit

1 here today before this Judge, it never got built?

2 A No.

3 JUDGE STEINBERG: Let me also for the record.  
4 When Ms. Brasher said canceled it, it was in a tone that I  
5 think after it it was like a question mark, so it was  
6 canceled it?

7 THE WITNESS: Canceled the license.

8 JUDGE STEINBERG: Yes, but I just want to reflect  
9 that that's what I heard. If he disagrees, say you  
10 disagree. If you want to re-ask it --

11 MR. ROMNEY: I'll re-ask it, Your Honor.

12 JUDGE STEINBERG: Yes, because I wanted to reflect  
13 what I heard because I don't know that the record would have  
14 picked it up.

15 BY MR. ROMNEY:

16 Q Is it your understanding, ma'am, that your husband  
17 caused that license somehow to be canceled?

18 A Yes, sir.

19 Q Now, do you recall having a discussion with Ms.  
20 Lutz about page 229 to Exhibit 19, ma'am?

21 A Yes, sir.

22 Q Would you explain to the Court what you recall  
23 having a discussion about with Ms. Lutz?

24 A Well, like I said, I usually gave Susan or Ms.  
25 Lutz things that my husband had wrote for her to type, and I

1 gave her the information to type up to go to John Black.

2 The discussion came up that we were getting all  
3 these licenses, T-band licenses, and she says well, why  
4 don't you get one for me?

5 Q What did you say to her?

6 A I said well, I don't know. I'll ask Ronald why we  
7 didn't get one for you.

8 Q Okay.

9 A Then I proceeded to discussing it with him.

10 Q Okay. Now, the original list that your husband  
11 gave to you to have typed up by Ms. Lutz to send to John  
12 Black. Did it have Carolyn Sue Lutz's name on it?

13 A No, sir.

14 Q Was there a change made, to your knowledge?

15 A Well, I think she just added it to it.

16 Q Do you know for sure?

17 A Yes.

18 Q How do you know that?

19 A Well, I think she would have said well, I'm just  
20 going to put my name on here for John, and you're going to  
21 talk to Ron. Well, in me going to talk to her I'm going to  
22 go back and talk to him right now.

23 Q To him? Do you mean Mr. Ron Brasher?

24 A Yes. I'm going to go back and talk to Ron right  
25 now and see if that's okay. If it's okay, he'll tell you.

1           We had the conversation in regards. Like I said,  
2   the only thing I thought in terms of her not having a  
3   license was because of the second marriage. I just asked  
4   him did he think there would be any problems.

5           JUDGE STEINBERG: He being Ronald?

6           THE WITNESS: Yes. You know, if their marriage  
7   dissolved, we didn't want to get involved in it. He said  
8   well, he didn't see that that would be a problem. It was in  
9   her name.

10          BY MR. ROMNEY:

11          Q    To the best of your knowledge, ma'am, was it  
12   either yourself or your husband that asked Ms. Lutz first  
13   whether or not she would do a license for you all?

14          A    No, sir. She brought the subject up to me  
15   whenever I had give her a list to type.

16          Q    Now, have you ever had any discussions with Ms.  
17   Lutz about the potential sale of her T-band license --

18          A    No.

19          Q    -- or transfer of her T-band license?

20          A    No, sir.

21          Q    You have not had any discussions with her about  
22   that?

23          A    No, sir.

24          Q    Have you had any discussion with Ms. Lutz about  
25   the sale of any kind of a license, FCC license, that she

1 might hold?

2 A No, sir.

3 Q Now, when you and Mr. Brasher, Ron, were thinking  
4 about this T-band system construction back in 1995, did you  
5 have any discussions with Mr. Sumpter about the accounting  
6 for that T-band system?

7 A Yes, sir.

8 Q Would you explain to the Court what kind of  
9 discussions you had please, ma'am?

10 A I asked Jim. I said Jim, we would like to keep a  
11 record of the expenditures for this system. We want to know  
12 better than we have before. We want to keep it separate.

13 Q You wanted to keep the T-band separate from?

14 A From the 900. I said do you have any suggestions  
15 how we might do this, or would it be any benefit to us to do  
16 that? He said no, other than you can just code it T-band  
17 versus 900. He said I see no advantage to changing the way  
18 we're doing our accounting procedures.

19 Q You said that, or he said that?

20 A He said that. Jim said I see no reason for you to  
21 change the way you're doing -- that we are doing your  
22 accounting procedures.

23 Q Did you make any specific inquiry, ma'am, of Mr.  
24 Sumpter at that time about setting up some sort of  
25 accounting to demonstrate the revenues and expenses per

1 station?

2 A Per station? More per site, yes. In other words,  
3 not per station because I considered it being all one group,  
4 but Allen versus Fort Worth versus Dallas, yes. I asked him  
5 would there be any advantage to that.

6 Q Let's clarify a little bit of that. Now, when you  
7 say a site you're talking Allen versus Dallas versus Fort  
8 Worth?

9 A Yes, sir.

10 Q When you say a station, you're talking about one  
11 of the many stations that may comprise the Allen site?

12 A Yes.

13 Q How are you using that term?

14 A Well, I'm saying site. I consider all the  
15 repeaters. I don't consider one individual one. However  
16 many is out there, whether there's three or four. I would  
17 consider the Allen site. Do I need to break that down any  
18 way other than this is a T-band repeater.

19 Q Let me make sure I'm understanding you correctly.  
20 Did you make inquiry of Mr. Jim Sumpter about the revenue  
21 and expense accounting for the Allen site versus the Dallas  
22 site versus the Fort Worth site?

23 A Yes. Now, ma'am, did you make any inquiry about  
24 the advisability of making the further distinction? Let's  
25 just take the Allen site, for example. Did you make any

1 inquiry of Mr. Sumpter about the advisability of breaking  
2 the accounting down per frequency in that Allen site?

3 A Well, anything that I asked him in regards to  
4 breaking it down he was opposed to it because I think it  
5 would cause him more work, so he just said there's no -- for  
6 purposes of accounting, there's no reason to change the way  
7 we have been doing it in the past.

8 The only thing you need to do, and that way we can  
9 say T-band repeater is bringing in this much money. You  
10 know what it cost you for the site lease, and that's the way  
11 it was set up. That's the way he wanted it set up.

12 Q I guess my question is a little bit more specific.  
13 Please try to follow me. I may not be making myself very  
14 clear, but I think it might be helpful to the Court in this  
15 matter.

16 Did you specifically discuss with Mr. Sumpter  
17 doing an accounting -- let me go back. Withdraw that  
18 question. Let me go back.

19 A Okay.

20 Q Do you know that in the Allen site --

21 A Okay.

22 Q -- there is a station or an entity, some mass,  
23 that might be Jim Sumpter's? Is that right?

24 A Yes. Okay.

25 Q What do you call that thing that might be

1       pertaining to the license of Jim Sumpter?

2           A       A repeater.

3           Q       That is a repeater? Okay. So in the Allen site  
4       there are numerous repeaters?

5           A       Yes.

6           Q       And is it your testimony to the Court did you ask  
7       Mr. Sumpter about breaking down the accounting per repeater  
8       in the Allen site?

9           A       Yes. I asked him. I said is there any advantage  
10      to us or is there any need for us to break down the revenue  
11      income, the expense per repeater.

12          Q       And when you say per repeater, you're talking  
13      about --

14                 JUDGE STEINBERG: Why don't you ask what are you  
15      talking about?

16                 MR. ROMNEY: Okay.

17                 BY MR. ROMNEY:

18          Q       What are you talking about when you say repeater?

19          A       Well, yes. By repeater I mean say there's four  
20      repeaters there. Okay. Is there any reason to break it  
21      down by, you know -- I mean, we had the frequencies. We  
22      knew what they were. Would there be any need to put that in  
23      any of our reports that says this is 456 whatever.

24                 JUDGE STEINBERG: Let me make an observation.  
25      When Mrs. Brasher was talking about the repeaters, she was



1 tapping Exhibit 19, page -- the separate repeaters. Exhibit  
2 19, page 229, which contains the list.

3 THE WITNESS: Yes.

4 JUDGE STEINBERG: Basically the question is let's  
5 take, for example, Jim Sumpter's repeater in Allen and let's  
6 say Melissa Sumpter's repeater in Allen. The question was  
7 let's take that for example.

8 When you asked Mr. Sumpter, did you ask him  
9 specifically whether you should break the income and  
10 expenses down so that Jim Sumpter's transactions would be  
11 separate from Melissa Sumpter's transactions? I believe  
12 that is what the question is getting at.

13 MR. ROMNEY: That's correct, Your Honor.

14 JUDGE STEINBERG: Just take that little example.

15 THE WITNESS: Okay. Okay. I see what you're  
16 asking. My terminology to him would have been we've got  
17 four repeaters, four repeaters at Allen. I don't remember  
18 that, but I'm saying because basically I think we put four  
19 up at once. I'm not sure, but that was my recollection.

20 I said we've got those four repeaters at Allen. I  
21 said is there any need for us to keep records for each  
22 individual one? His response was I cannot see any reason  
23 for us doing that. He said you know. You know what the  
24 revenue is on the T-band. We called it T-band. You know  
25 what it cost for the Allen T-band, and he said I can't see